

ACT 128

H.B. NO. 594

A Bill for an Act Relating to Continuing Education Courses and Course Providers for Insurance Licensees.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 431:7-101, Hawaii Revised Statutes, is amended by amending subsections (a) through (c) to read as follows:

- “(a) The commissioner shall collect in advance the following fees:
  - (1) Certificate of authority: Issuance .....\$900
  - (2) Organization of domestic insurers and affiliated corporations:
    - (A) Application and all other papers required for issuance of solicitation permit, filing .....\$1,500
    - (B) Issuance of solicitation permit .....\$150
  - (3) General agent’s license:
    - (A) Issuance, regular license .....\$75
    - (B) Issuance, temporary license .....\$75
  - (4) Subagent’s license:
    - (A) Issuance, regular license .....\$75
    - (B) Issuance, temporary license .....\$75
  - (5) Nonresident agent’s or broker’s license: Issuance .....\$60
  - (6) Solicitor’s license: Issuance .....\$60
  - (7) Independent adjuster’s license: Issuance .....\$60

- (8) Public adjuster's license: Issuance .....\$60
- (9) Workers' compensation claims adjuster's limited license: Issuance \$60
- (10) Independent bill reviewer's license: Issuance .....\$80
- (11) Limited license issued pursuant to section 431:9-214(c): Issuance ..\$60
- (12) Managing general agent's license: Issuance .....\$75
- (13) Reinsurance intermediary's license: Issuance .....\$75
- (14) Surplus line broker's license: Issuance .....\$150
- (15) Service contract provider's registration: Issuance .....\$75
- (16) Approved course provider certificate: Issuance .....\$100
- (17) Approved continuing education course certificate: Issuance .....\$30
- [(16)] (18) Examination for license: For each examination, a fee to be established by the commissioner.

(b) The fees for services of the department of commerce and consumer affairs subsequent to the issuance of a certificate of authority [~~or a license~~], license, or other certificate are as follows:

- (1) \$600 per year for all services (including extension of the certificate of authority) for an authorized insurer;
- (2) \$75 per year for all services (including extension of the license) for a regularly licensed general agent;
- (3) \$75 per year for all services (including extension of the license) for a regularly licensed subagent;
- (4) \$45 per year for all services (including extension of the license) for a regularly licensed nonresident agent or broker;
- (5) \$30 per year for all services (including extension of the license) for a regularly licensed solicitor;
- (6) \$45 per year for all services (including extension of the license) for a regularly licensed independent adjuster;
- (7) \$45 per year for all services (including extension of the license) for a regularly licensed public adjuster;
- (8) \$45 per year for all services (including extension of the license) for a regularly limited licensed workers' compensation claims adjuster;
- (9) \$60 per year for all services (including extension of the license) for a regularly licensed independent bill reviewer;
- (10) \$45 per year for all services (including extension of the license) for a limited license issued pursuant to section 431:9-214(c);
- (11) \$75 per year for all services (including extension of the license) for a regularly licensed managing general agent;
- (12) \$75 per year for all services (including extension of the license) for a regularly licensed reinsurance intermediary;
- (13) \$45 per year for all services (including extension of the license) for a licensed surplus line broker;
- (14) \$75 per year for all services (including renewal of registration) for a service contract provider; [~~and~~]
- (15) \$65 per year for all services (including extension of the certificate) for an approved course provider; and
- (16) \$20 per year for all services (including extension of the certificate) for an approved continuing education course.

[(15)] The services referred to in paragraphs (1) to [(14)]<sup>1</sup> (16) shall not include services in connection with examinations, investigations, hearings, appeals, and deposits with a depository other than the department of commerce and consumer affairs.

(c) The commissioner shall notify the holder of [~~the~~] a certificate of authority issued under article 3 or the license or other certificate issued under article 9 by written notice at least thirty days prior to the extension date of [~~such certificate or~~

license.] the certificate of authority, license, or other certificate. If the fee is not paid before or on the extension date, the fee [will] shall be increased by a penalty in the amount of fifty per cent of the fee. If the fee and the penalty are not paid within the thirty days immediately following the extension date, the commissioner may revoke, suspend, or inactivate the certificate of authority ~~[or license], license, or other certificate~~ and shall not reissue, remove the suspension of, or reactivate the certificate of authority ~~[or license], license, or other certificate~~ until the fee and penalty have been paid.”

SECTION 2. Section 431:9-301, Hawaii Revised Statutes, is amended by amending the definitions of “approved continuing education course” and “approved course provider” to read as follows:

““Approved continuing education course” means a course that has been approved by the commissioner following receipt of recommendations from [various] insurance professionals[-] and that has paid all fees under section 431:7-101.

“Approved course provider” means an organization or individual ~~[that offers a continuing education course and has been approved by the commissioner.]~~ approved by the commissioner that has paid all fees under section 431:7-101.”

SECTION 3. Section 431:9-302, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

“(e) After a licensee completes an approved continuing education course, the approved course provider shall issue to the licensee a certificate of completion in a form approved by the commissioner that certifies that the licensee has successfully completed the course. Both the licensee and a person authorized to sign on behalf of the approved course provider shall sign the certificate of completion. ~~[The licensee shall submit the certificate of completion to the insurance division not later than one month prior to the renewal date for the license.]~~ The approved course provider shall submit course completion information by electronic means to the insurance division within forty-five days after the course is completed or the competency examination is scored.”

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect on July 1, 2001.

(Approved May 22, 2001.)

**Note**

1. So in original.